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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,484	12/12/2001	James Rist	FBRIC20.001AUS	6786
20995	7590	07/03/2006		
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER HOEL, MATTHEW D	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/020,484	RIST, JAMES	
	Examiner	Art Unit	
	Matthew D. Hoel	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/18/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to Claims 1 to 18 have been considered but are moot in view of the new ground(s) of rejection. The examiner has found prior art which much more closely reads on the claims as currently amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

3. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

5. Determining the scope and contents of the prior art.
6. Ascertaining the differences between the prior art and the claims at issue.
7. Resolving the level of ordinary skill in the pertinent art.
8. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1 to 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hand (U.S. pre-grant publication 2002/0125627 A1, application 09/804,333) in view of Bell (U.S. patent 6,722,487 B1).

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10. As to Claim 1: '627 discloses all of the elements of Claim 1, but lacks specificity as to a bill acceptance rate dropping below a predetermined threshold. '627 teaches a receiving zone for receiving a bill (Fig. 2). '627 has a sensing device at an input region of the receiving zone for sensing at least one characteristic of the bill (Para. 17). '627 has a controller in communication with the receiving device for receiving an output signal from the receiving device (Para. 14). '627 has an annunciator controlled by the controller to be activated when an error occurs, the annunciator being arranged in the receiving zone (Fig. 2). '487, however, teaches a bill acceptance rate of a controller dropping below a predetermined threshold (acceptance rate for valid currency falling below 100%, causing the bill acceptor to move to the restricted acceptance range, Col. 3, Lines 48 to 60). It would be obvious to one of ordinary skill in the art to apply the predetermined threshold of '487 to the bill acceptor of '627. '627 has counterfeit bill, service, diagnostic, and machine service indicators (Para. 21). '627 uses optical and magnetic sensors for determining the validity of inserted bills (Para. 17), as does '487 (Col. 9, Line 58 to Col. 10, Line 20). '627 stores data relating to a range of acceptable readings for authentic notes (Para. 17), like '487 (Col. 3, Lines 19 to 47). '627 describes the use of a diagnostic mode to determine the correct value of the bill most recently inserted into the machine in the event of a dispute with a player (Para. 3). This diagnostic mode could be used in conjunction with the acceptance thresholds of '487 and known valid currency—an abnormal acceptance rate with known valid currency would indicate something is wrong with the machine. The advantage of this

combination would be to enhance the machine's reliability by using the diagnostic mode for monitoring and troubleshooting purposes.

11. As to Claim 2: The receiving zone of '627 incorporates a platen on which the bill is received and a slot at an end of the platen into which the bill is to be inserted (Figs. 2, 3; runway surface 34, Para. 17).

12. As to Claim 3: The sensing device of '627 is arranged inwardly of the slot (Para. 17).

13. As to Claim 4: '627 senses optical characteristics of the bill (Para. 17).

14. As to Claim 5: The receiving zone of '627 includes an indicator for indicating to a patron where the bill is to be inserted into the slot (Fig. 2).

15. As to Claim 6: The indicator of '627 comprises an array of illuminating elements arranged in the platen of the receiving zone (Fig. 3).

16. As to Claim 7: The illuminating elements of '627 function as the annunciator (Fig. 3, Para. 21).

17. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over '627 and '487 in view of Jones, et al. (U.S. patent 5,836,818 A).

18. As to Claim 8: The combination of '627 and '487 discloses all of the elements of Claim 8, but lacks specificity as to the controller causing the array of illuminating elements to be illuminated in a predetermined, first pattern and the annunciator being implemented in the form of an illumination of the illuminating elements in a second different pattern. '818, however, teaches the array of elements being illuminated in a

predetermined, first pattern (Abst.; Col. 5, Lines 52 to 61; Col. 7, Lines 2 to 7). '818 also teaches the annunciator of an error condition being implemented in the form of an illumination of the illuminating elements in a second, different pattern (Col. 6, Lines 16 to 20). It would be obvious to one of ordinary skill in the art to apply the predetermined, first pattern and the second, different pattern of '818 to the combination of '627 and '487. '818 is meant to be used with paper currency (Col. 1, Lines 58 to 67), like '627 and '487. '818 has a first flashing pattern to attract the interests of players to the game (Abst.; Col. 5, Lines 56 to 61), like '627 (Para. 4). '818 is able to give a visual indication of an error state (Col. 6, Lines 15 to 20), like '627 (Para. 21). The advantage of this combination would be to provide an unobtrusive visual indication of an error condition with the gaming machine that would not be noticed by the player.

19. As to Claim 9: '818 teaches a second pattern being activated after completion of the first pattern in the event of an error (Col. 6, Lines 16 to 20). '487 teaches an error condition in which the bill acceptance rate falls below a predetermined threshold (Col. 3, Lines 48 to 60).

20. Claims 10 to 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over '627, '487, and '818 in view of Weiss (U.S. patent 5,611,730 A).

21. As to Claim 10: The combination of '627, '487, and '818 discloses all of the elements of Claim 10, but lacks specificity as to the network monitoring system monitoring the controller for errors. '627 teaches the controller being connected to a network (Para. 14). '487 teaches monitoring the acceptance rate of bills by the

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controller (Col. 3, Lines 48 to 61). '818 teaches activating an alarm in the event of a system error (Col. 6, Lines 15 to 20). '730, however, teaches a network monitoring system monitoring the controller for errors (failure and repair codes, Fig. 5; Col. 14, Line 10 to Col. 15, Line 13). It would be obvious to one of ordinary skill in the art to apply the network monitoring system of '730 to the combination of '627, '487, and '818. '627 teaches a network monitoring system that monitors the performance and operation of the CPU of each gaming machine (Para. 14). '730 provides for centralized monitoring for tampering activity (Col. 16, Lines 1 to 10), like that detected and prevented by the system of '487 (Col. 3, Lines 19 to 61). The advantages of this combination would be to enhance the security of the gaming system by central monitoring and to enhance the reliability of the gaming system by providing central dispatching of maintenance technicians in the event of a system error.

22. As to Claim 11: '627 teaches a method of operating a bill acceptor of a gaming machine (Para. 5 to 9). '627 senses at least one characteristic of a bill inserted into the bill acceptor (Para. 17). '487 teaches monitoring a bill acceptance rate by a controller (Col. 3, Lines 19 to 61). '627 teaches activating an annunciator arranged in a receiving zone of the bill acceptor in the event of an error (Para. 21). '487 teaches an error in the form of the bill acceptance rate falling below a predetermined threshold (Col. 3, Lines 19 to 61).

23. As to Claim 12: '818 teaches energizing illuminating elements of the bill acceptor in a predetermined pattern and, in the event of an error, energizing the illuminating elements in a second, different pattern, the second pattern of illumination of the

illuminating elements serving as the annunciator (Col. 5, Lines 78 to 61; Col. 6, Lines 16 to 20). '487 teaches an error in the form of the bill acceptance rate falling below a predetermined threshold (Col. 3, Lines 19 to 61).

24. As to Claim 13: In '818, the second pattern of illumination of the illuminating elements follows completion of the first pattern (error message 400, Fig. 4; Col. 6, Lines 16 to 20).

25. As to Claim 14: '730 teaches transmitting a signal on a network to which a gaming machine is connected to a network monitoring system to activate an alarm in the event of an error (monitor for error conditions, Col. 14, Lines 10 to 32; technicians paged, Col. 14, Line 64 to Col. 15, Line 12).

26. As to Claim 15: '627 teaches a gaming machine network comprising a plurality of gaming machines wherein each gaming machine includes a bill acceptor that has a receiving zone for receiving tendered bills and an annunciator arranged in the receiving zone in the event of an error (Fig. 3, Para. 14, 21). '487 teaches an error in which a bill acceptance rate drops below a predetermined threshold (Col. 3, Lines 19 to 61). The gaming machine network of '730 receives signals from the gaming machine so as to be able to ascertain error conditions in need of repair (Col. 14, Lines 10 to 32). '627 teaches error signals from the sensing device of a bill acceptor (Para. 21, Fig. 3). '487 teaches ascertaining a bill acceptance rate (Col. 3, Lines 19 to 61).

27. As to Claim 16: '627 teaches each of a plurality of gaming machines including a controller that is in communication with the sensing device and wherein the controller determines an error condition (Para. 14, 21). '487 teaches an error condition in the form

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of a bill acceptance rate of the tendered bills (Col. 3, Lines 19 to 61). '730 teaches communicating the error condition to the gaming machine network (Col. 14, Lines 10 to 32).

28. As to Claim 18: '627 provides an annunciator at each of the gaming machines (Fig. 3, Para. 14, 21).

Claim Objections

29. Claim 1 is objected to because of the following informalities: Claim 1 cites "threshold the" in the ninth line. The examiner believes the applicant intends to cite "threshold, the". Appropriate correction is required.

30. Claim 15 is objected to because of the following informalities: Claim 15 cites "machine networks" in the sixth line. The examiner believes the applicant intends to cite "machine network". Appropriate correction is required.

Citation of Pertinent Prior Art

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hand in U.S. patents 6,712,191 B2 and 6,923,306 B2 teaches a bezel for a currency acceptor. Dobbins, et al. in U.S. patents 5,564,548 A and 5,730,272 A teach methods for currency acceptance and counterfeit rejection. Dean, et al. in U.S. patent 4,546,869 A teaches a coin testing apparatus.

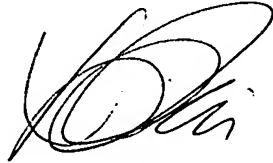
Conclusion

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-5961. The examiner can normally be reached on Mon. to Fri., 8:00 A.M. to 4:30 P.M.

33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew D. Hoel, Patent Examiner
AU 3713


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TC 3700